IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 16663 of 1999

Between:

Ganga Drip Pipe Systems,

55, Sudhanagar Colony, R.K.Puram Post,

Hyderabad, rep. by its Proprietrix Mrs.N.Jagan Mohini

..... PETITIONER

AND

1.State Bank of Hyderabad, Shantinagar,

Hyderabad, rep. by its Chief Manager

2.Meera Desh Pandey, Chief Manager, State Bank of

Hyderabad, Shantinagar Branch, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, direction or directions declaring the action of the 1st respondent in seizing the factory premises of the petitioner without following due process of law as illegal, unsustainable and violative of Article 19(1)(g) of the Constitution of India and to issue a consequential direction to the 1st respondent not to interfere with the functioning of the petitioner industry except in accordance with law.

Counsel for the Petitioner:MR.V.SRINIVAS

Counsel for the Respondents: MR.NUTY RAM MOHAN RAO

The Court made the following :

ORDER:

The Writ Petition is filed seeking a Writ of Mandamus declaring the action of the first respondent in seizing the factory premises of the petitioner without following due process of law as illegal, unconstitutional and violative of Article 19(1)(g) of the Constitution of India, and issue a consequential direction to first respondent not to interfere with the functioning of the petitioner industry except in accordance with law.

Having regard to the subsequent event, namely, landlord of petitioner obtained decree for eviction and took possession of the premises, learned counsel for the petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to petitioner to sue the respondents for damages, if any. Giving liberty to do so, the Writ Petition is dismissed as withdrawn. No costs.

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(V.V.S.RAO, J)

5.8.2004

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Chief Manager, State Bank of Hyderabad, Shantinagar,

Hyderabad.

2.2CD copies